

26/2/04  
2/9/04  
59  
**ATTENTION ATTENTION ATTENTION**

DATE PROCESSED :

1/7/2003

PROCESSED BY : L.S.

ACH PAYMENT

Attached is the most current ACH Information

*TechCenter 2675*

TREASURY CHECK

The Most Current ACH Information Was  
Requested From This Customer With The Purpose Of  
Processing His Refund Request By Electronic Fund  
Transfer(EFT). No EFT Information Was Received

Therefore, If Customer Is Due A Refund:

A CHECK WILL BE ISSUED.

CREDIT TO DEPOSIT ACCOUNT

*09/251,519*

This Request for Refund Will Be Processed By Crediting  
Deposit Account Number *23-1123*,  
If Customer Is Due A Refund.

**ATTENTION ATTENTION ATTENTION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT & TRADEMARK  
OFFICE

First Named Inventor : Steven Bathiche et al.  
Appln. No.: 09/251,519  
Filed : February 17, 1999  
For : TWO-HANDED COMPUTER INPUT DEVICE WITH ORIENTATION SENSOR  
Docket No.: M61.12-0101

Group Art Unit: 2645 2-24  
Examiner: SS Kumar  
PATENT & TRADEMARK  
OFFICE

REQUEST FOR REFUND  
(37 C.F.R. 1.26)

Mail Stop 16  
Director of the U.S. Patent and  
Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

I HEREBY CERTIFY THAT THIS PAPER IS BEING  
SENT BY U.S. MAIL, FIRST CLASS, TO THE  
DIRECTOR OF THE U.S. PATENT AND TRADEMARK  
OFFICE, P.O. BOX 1450, ALEXANDRIA, VA 22313-  
1450, THIS

31<sup>st</sup> DAY OF December, 2003

James R. Stango  
PATENT ATTORNEY

Sir:

This request for refund is made as a result of a mistaken fee paid on May 9, 2003 in an amount of \$320.00 and a mistaken fee paid on July 8, 2003 in an amount of \$320.00.

On March 15, 2002 a Notice of Appeal (see attached Exhibit A) and a check (see attached Exhibit B) in the amount of \$1,130.00 were mailed in the above-identified case. Of the total amount in the check, \$320.00 of it was designated for a Notice of Appeal fee. On June 13, 2002 an Appeal Brief and PTO-2038 (see attached Exhibit C) were mailed. Of the total PTO-2038 amount of \$430.00, \$320.00 of it was designated for the Appeal Brief. On September 11, 2002 we received a Non-Final Office Action with an explanation that the Examiner had withdrawn finality and rejected all pending claims with a new ground of rejection. Following another final rejection issued by the Examiner on February 11, 2003 we filed another Notice of Appeal on May 9, 2003 with a check (see attached Exhibit D) in the amount of \$320.00. On July 8, 2003, another

Repln. Ref: 02/09/2004 SJORDAN 0012412700

DA#231123 Name/Number:09251519

FC: 9204

\$320.00 CR

PATENT AND TRADEMARK  
OFFICE

-2-

2004 JAN -6 PM 2:24

Appeal Brief was filed with a check (see attached US PATENT & TRADEMARK EXHIBIT) the amount of \$320.00.

According to M.P.E.P. §1208.03 "if prosecution was reopened prior to a decision on the merits by the Board of Patent Appeals and Interferences, the fee paid for the Notice of Appeal, Appeal Brief, and request for oral hearing (if applicable) will be applied to a later appeal on the same application." Therefore, the Applicant has mistakenly paid fees of \$320.00 for the Notice of Appeal on May 9, 2003 and \$320.00 for the Appeal Brief on July 8, 2003.

It is respectfully requested that a refund in the amount of \$640.00 be made. Please make the refund by crediting account number 23-1123.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By: 

Leanne R. Taveggia, Reg. No. 53,675  
Suite 1600 - International Centre  
900 Second Avenue South  
Minneapolis, Minnesota 55402-3319  
Phone: (612) 334-3222 Fax: (612) 334-3312

LRT/jme

PATENT MAINTENANCE  
DIVISION

EXHIBIT

A

2004 JAN -6 PM 2:24<sup>IN</sup> THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named  
US PATENT & TRADEMARK  
OFFICE : Steven Bathiche et al.

Appln. No.: 09/251,519

Filed : February 17, 1999

For : TWO-HANDED COMPUTER INPUT  
DEVICE WITH ORIENTED SENSOR

Docket No.: M61.12-0101

Group Art Unit: 2675

Examiner: S. Kumar

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

DOCKETED	5-15-02
RESPONSE DUE	5-15-02
CALENDARDED	5-15-02
CHECKED BY ATTY	9-15-02

Assistant Commissioner for Patents  
Washington, D.C. 20231

I HEREBY CERTIFY THAT THIS PAPER IS  
BEING SENT BY U.S. MAIL, FIRST CLASS, TO  
THE ASSISTANT COMMISSIONER FOR  
PATENTS, WASHINGTON, D.C. 20231, THIS

15<sup>th</sup> DAY OF March 2002  
  
Joseph R. Kelly  
PATENT ATTORNEY

Sir:

Applicant appeals to the Board of Patent Appeals and  
Interferences from the decision of the Primary Examiner mailed  
September 17, 2001, finally rejecting claims 1-20, 22 and 23.

**FEE STATUS**

[ ] Small entity status under 37 C.F.R. §§ 1.9 and 1.27  
is established by a verified statement previously filed on ---.

**FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. § 1.17(b) the fee for filing the  
Notice of Appeal is:

[X] other than a small entity \$320.00  
[ ] small entity \$160.00

**EXTENSION OF TIME**

These proceedings are for a patent application and the  
provisions of 37 C.F.R. § 1.136 apply.

(a) [X] Applicant petitions for an extension of time  
under 37 C.F.R. § 1.17(a)-(d) for the total number of months  
checked below:

PATENT AND TRADEMARK  
EXAMINER

204 JAN -6 PM 2:24

-2-

US PATENT & TRADEMARK OFFICE	Extension (months)	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
[ ] one month		\$ 110.00	\$ 55.00
[ ] two months		\$ 400.00	\$200.00
[X] three months		\$ 920.00	\$460.00
[ ] four months		\$1,440.00	\$720.00

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

[X] An extension for one month has already been secured and the fee paid therefor of \$110 is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$810  
or

(b) [ ] Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time.

**TOTAL FEE DUE**

The total fee due is:

Notice of Appeal fee \$320

Extension fee (if any) \$810

**Total Fee Due \$1130.00**

**FEE PAYMENT**

[X] A check in the amount of \$1130.00 is attached.

[ ] Charge Deposit Account No. 23-1123, the sum of \$ .

The Director is authorized to charge any additional fees associated with this paper or credit any overpayment to

PATENT MAINTENANCE  
DEPARTMENT

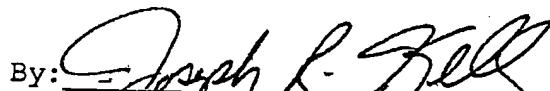
-3-

Deposit Account No. 23-1123. A duplicate copy of this  
communication is enclosed.

2004 JAN -6 PM 2:24  
US PATENT & TRADEMARK  
OFFICE

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By: 

Joseph R. Kelly, Reg. No. 34,847  
Suite 1600 - International Centre  
900 Second Avenue South  
Minneapolis, Minnesota 55402-3319  
Phone: (612) 334-3222 Fax: (612) 334-3312

JRK:slg

PATENT AND TRADEMARK

OFFICE

2001 JAN - 6 PM 2:24

US PATENT & TRADEMARK  
OFFICE

Receipt is hereby acknowledged the Assistant Commissioner of  
Patents and Trademarks of the following items in the matter of:  
Applicant : Steven Bathiche et al.  
Serial No./Patent No. : 09/251,519  
Filed/Issued : February 17, 1999  
Title/Mark : TWO HANDED COMPUTER INPUT DEVICE  
WITH ORIENTED SENSOR

1. Notice of Appeal from the Primary Examiner  
to the Board of Patent Appeals and  
Interferences
2. Check \$1,130.00

EXHIBIT

B

Atty/Sec JRK:slg Date: 3/15/02 File No. M61.12-0101

WESTMAN, CHAMPLIN & KELLY, P.A.

2486

DATE	DESCRIPTION	INVOICE #	CHECK	
			AMOUNT	DEDUCTION
03/14/02	Commissioner of Patents and Trademarks Client Expense - M61.12-0101 - slg		1130.00	1130.0
	Client Ref: <u>113978.1</u>			
	Date Sent: <u>3/19/02</u>			
	Sent By: <u>Asan</u>			

CHECK DATE	CONTROL NUMBER	TOTALS ►
03/14/02	25357	Gross: 1130.00 Ded: 0.00 Net: 1130.0

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900 2ND AVE. S. INTERNATIONAL CENTRE SUITE 1600  
MINNEAPOLIS, MN 55402-3319

WELLS FARGO BANK MINNESOTA, N.A.  
MINNEAPOLIS, MN 55479

2486

DATE	CHECK	AMOUNT
03/14/02	*#1.130.00	

PAY  
TO THE  
ORDER  
OF

\*\*\* ONE THOUSAND ONE HUNDRED THIRTY 4.00/100 DOLLARS

Commissioner of Patents and Trademarks

024865 091000019139704 264871

*Robert B. Neider*

PATENT MAINTENANCE  
DRAFT

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PTO-2038 (02-2000)

Approved for use through 01/31/2003. OMB 0651-0043

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

US PATENT & TRADEMARK  
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United States Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

EXHIBIT

C

United States Patent & Trademark Office  
Credit Card Payment Form  
Please Read Instructions before Completing this Form

Credit Card Information

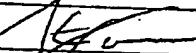
Credit Card Type:  Visa  MasterCard  American\_Express  Discover

Credit Card Account # 41900877151.

Credit Card Expiration Date: 06/03

Name as it Appears on Credit Card: Steven M. Koehler

Payment Amount \$(US Dollars): \$430.00

Signature: 

Date: 02/13/02

Refund Policy: The Office may refund a fee paid by mistake or in excess of that required. A change of purpose after the payment of a fee will not entitle a party to a refund of such fee. The Office will not refund amounts of twenty-five dollars or less unless a refund is specifically requested, and will not notify the payor of such amounts (37 CFR 1.26). Refund of a fee paid by credit card will be via credit to the credit card account.

Service Charge: There is a 50.00 service charge for processing each payment refused (including a check returned "unpaid") or charged back by a financial institution (37 CFR 1.21 (m)).

Credit Card Billing Address

Street Address 1: 35 Crystal Creek Road

Street Address 2:

City: Orono

State: Minnesota

Zip/Postal Code: 55356

Country: U.S.A.

Daytime Phone #: (612) 334-3222

Fax #: (612) 334-3312

Request and Payment Information

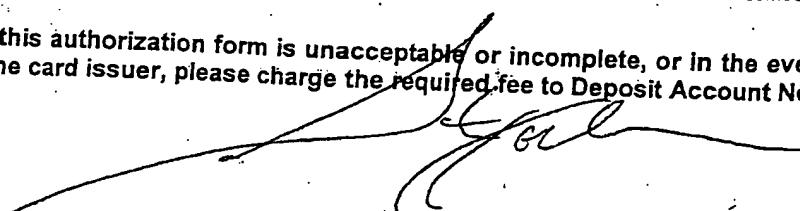
Description of Request and Payment Information:

Appeal Brief & Extension of Time

Patent Fee	Patent Maintenance Fee	Trademark Fee	Other Fee
Application No. 09/251,519	Application No.	Serial No.	IDON Customer No.
Patent No.	Patent No.	Registration No.	
Attorney Docket No. MOL-1a-0101		Identify or Describe Mark	

If the cardholder includes a credit card number on any form or document other than the Credit Card Payment Form, the United States Patent & Trademark Office will not be liable in the event that the credit card number becomes public knowledge.

\*\*\*In the event this authorization form is unacceptable or incomplete, or in the event that the charge is rejected by the card issuer, please charge the required fee to Deposit Account No. 23-1123.\*\*\*



BC

WESTMAN, CHAMPLIN & KELLY, P.A.

2895

DATE	DESCRIPTION	PATENT INVOICE #	BALANCE	AMOUNT	DEDUCTION	CHECK	NET AMOUNT	
05/09/03	Commissioner of Patents and Trademarks Client Expense - M61.12-0101 - jme	2004 JAN - 6 PH 2:24		320.00			320.00	
				US PATENT & TRADEMARK OFFICE				
								
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05/09/03		28765	Gross:	320.00	Ded:	0.00	Net:	320.00

**EXHIBIT**

D

CHECK DATE	CONTROL NUMBER	TOTALS ►
05/09/03	28965	Gross: 320.00 Ded.: 0.00 Net: 320.00

**WESTMAN, CHAMPLIN & KELLY, P.A.**  
PH. 612-334-3222 FAX 612-334-3312  
900 2ND AVE. S., INTERNATIONAL CENTRE, SUITE 1600  
MINNEAPOLIS, MN 55402-3319

**HIGHLAND BANK**  
ST. PAUL, MINNESOTA 55116  
75-1637-919

2896

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OF

\*\*\* THREE HUNDRED TWENTY & 00/100 DOLLARS

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05/09/03	*****	\$320.00

Commissioner of Patents and Trademarks

*Ronald Schmid*

Receipt is hereby acknowledged by the Assistant Commissioner of Patents and Trademarks of the following items in the matter of:

Applicant : Steven Bathiche  
Serial No./Patent No.: 09/251,519  
Filed/Issued : February 17, 1999  
Title/Mark : TWO-HANDED COMPUTER INPUT DEVICE WITH  
ORIENTATION SENSOR

1. Associate Power of Attorney
2. Notice of Appeal
3. Check in the amount of \$320.00

Repln. Ref: 02/09/2004 SJORDAM 0012412700

DAH:231123 Name/Number:09251519

FC: 9284 \$320.00 CR

Atty/Sec LRT/jme Date: 5/9/03 File No. M61.12-0101

WESTMAN, CHAMPLIN & KELLY, P.A.

2971

DATE	DESCRIPTION	PATENT MAINTENANCE INVOICE #	AMOUNT	CHECK	DEDUCTION	NET AMOUNT
7/8/03	fee for Appeal Brief CLH/jme M61.12-0101	DIVISION				\$320.00

2004 JAN - 6 PM 2:24

US PATENT & TRADEMARK  
OFFICE

EXHIBIT

E

CHECK DATE CONTROL NUMBER

7/8/03	29716	TOTALS ►	\$320.00
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WESTMAN, CHAMPLIN & KELLY, P.A.

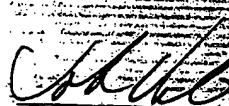
1 PH. 612-334-3222 FAX 612-334-3312  
900 2ND AVE. S. INTERNATIONAL CENTRE, SUITE 1600  
MINNEAPOLIS, MN 55402-3319

2971  
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ST. PAUL, MINNESOTA 55116  
75-1637-919

DATE	CHECK	AMOUNT
7/8/03		\$320.00

PAY TO THE ORDER OF THREE HUNDRED TWENTY AND NO/100 DOLLARS

Commissioner for Patents



10029716 1091916378 111000303

Receipt is hereby acknowledged by the Assistant Commissioner of Patents and Trademarks of the following items in the matter of:

Applicant : Steven Bathiche et al.  
Serial No./Patent No. : 09/251,519  
Filed/Issued : February 17, 1999  
Title/Mark : TWO-HANDED COMPUTER INPUT DEVICE WITH ORIENTATION SENSOR

1. Brief for Appellant (in triplicate)
2. Check in the amount of \$320.00

Repln. Ref: 02/09/2004 SJORDAN 0012441900  
DA#231123 Name/Number:09251519

FC: 9204

\$320.00 CR

Atty/Sec LRT/jme Date: 7/8/03 File No. M61.12-0101